

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

WILLIAM X. NIETZCHE, *et al.*,

Plaintiffs,

v.

**FREEDOM HOME MORTGAGE
CORPORATION, *et al.*,**

Defendants.

Case No. 3:18-cv-1930-SI

ORDER

Michael H. Simon, District Judge.

Plaintiffs William Kinney, Jr.¹ and Julie Ann Metcalf Kinney² (the “Kinneys”) were the owners of real property located in Portland, Oregon. Plaintiff William X. Nietzsche is the Trustee of the KRME International Trust (the “KRME Trust”), which Plaintiffs allege is “domiciled in the ancient Mosan/Salish Territory for Multnomah [Portland, Oregon USA] Republic” and “holder in due course and secured-first-party creditor over the parcel of land and the subject real

¹ The First Amended Complaint also identifies Mr. Kinney as “Mickey Pharaoh.” ECF 146, at ¶ 61.

² The First Amended Complaint also identifies Ms. Kinney as “Jew-el Empress of Compassion.” ECF 146, at ¶ 58.

property structure interest in this matter.” ECF 146, at ¶¶56-57. On October 8, 2019, the Court entered an Opinion and Order, dismissing this action with prejudice. ECF 198. On that same day, the Court entered Judgment, dismissing this case with prejudice. ECF 199. The Court did not order Plaintiffs to pay anything to Defendants, and no Defendant has filed a cost bill or any motion for fees. On October 15, 2019, Plaintiffs filed a Notice of Appeal. ECF 201. The Ninth Circuit has assigned Plaintiffs’ appeal Case No. 19-35876.

On January 2, 2020, Plaintiffs sent to the Courtroom Deputy for the undersigned U.S. District Judge several matters for filing in this District Court. These filings were docketed on January 3, 2020. *See* ECF 218, 219, and 220. Among other things, Plaintiffs seek the recusal of the undersigned District Judge. ECF 219. Plaintiffs assert, among other things, that the undersigned District Judge or his spouse have received “campaign contributions” from one or more Defendants and that the undersigned District Judge or his spouse have received “gifts in an amount greater than \$50” from one or more Defendants. ECF 220, at ¶¶ 15 and 18. None of the material facts asserted by Plaintiffs in either their motion for recusal or the affidavit filed in support of that motion are correct. Accordingly, Plaintiffs’ motion for recusal is DENIED. Specifically, the undersigned District Judge does not receive any “campaign contributions” or accept any “gifts in an amount greater than \$50” (or, indeed, in any amount from any litigant or counsel). In addition, the spouse of the undersigned judge does not accept “gifts in an amount greater than \$50.” Further, although the spouse of the undersigned District Judge is a Member of Congress and in that capacity receives lawful campaign contributions, the undersigned judge is deliberately unaware of the identity of any campaign contributor. Accordingly, there is no basis for recusal.

Plaintiffs also seek approval of a “supersedeas bond to stay the inferior state court FED action filed against Plaintiffs by Defendant Urban Housing Development LLC on November 19, 2018.” ECF 218, at ¶ 2. Although Plaintiffs state that they filed a supersedeas bond on December 16, 2019, no such filing appears in the docket of this District Court. In any event, this District Court is without lawful authority in this action to stay any state court FED action filed after the dismissal and termination of this federal lawsuit and thus DENIES Plaintiffs’ request both for entry of any such supersedeas bond and for a hearing on any such bond.

For the reasons stated in this Order, Plaintiffs’ Motion for Hearing on Supersedeas Bond (ECF 218) and Plaintiffs’ Motion to Recuse Judge (ECF 219) are each DENIED.

IT IS SO ORDERED.

DATED this 3rd day of January, 2020.

/s/ Michael H. Simon
Michael H. Simon
United States District Judge